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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/606,177

06/24/2003

Altti Pekka Henrik Vetelainen

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09/13/2006

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EXAMINER

ALLEN, WILLIAM J

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/606,177	VETELAINEN, ALTTI PEKKA HENRIK	
	Examiner	Art Unit	
	William J. Allen	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Prosecution History Summary

Claim 15 has been canceled per applicant's amendment filed 8/4/2006.

Claims 1-14 and 16-18 are currently pending and rejected as set forth below.

Response to Amendment

The amendment to the specification filed on 8/4/2006 regarding the objection to the abstract is sufficient. The objection is hereby vacated.

Response to Arguments

Applicant's arguments filed 8/4/2006 have been fully considered but they are not persuasive.

Regarding claims 1, 4-7, 12-14, 16, and 17, Applicant asserts that Schmueli does not disclose the feature of "only presenting the option to access the wallet application either when a data entry field is selected or when the wallet application is enabled". In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., only presenting the option to access the wallet application either when a data entry field is selected or when the wallet application is enabled) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Regarding claims 2, 3, 8-11, and 18, Applicant asserts that Bishop “does not appear to disclose or fairly suggest automatically detecting whether a wallet application is enabled”. The Examiner notes that the activator program is initialized upon startup, connection to a network, or initialization of a browser (i.e. the activator, which is the client side implementation for the digital wallet, is enabled). The activator presents a single graphical element, (an icon, which in a Microsoft Windows embodiment appears as a Windows system tray icon), which enables the user to trigger the appearance of the wallet toolbar (see at least: 0056-0057). As a result of the initialization, an icon is displayed for selection; thereby, there is an automatic “detection” that the program has been initialized which results in the display of the icon (see at least: 0053, 0056-0057, 0078-0079).

Additionally, Applicant asserts that there is no suggestion to combine the references of Schmueli and Bishop. Again, the Examiner disagrees. Both Schmueli and Bishop make use of portable devices such as smart cards or the like (see at least: Schmueli 2A-2C; Bishop, 0012) and both deal with providing secure transactions using digital wallets. Furthermore, Bishop motivates one of ordinary skill in the art by stating that “the transaction tool also includes a form fill component and an auto remember component for pre-filling forms with information previously provided by the user” which one of ordinary skill in the art would recognize as an added convenience (see 0015); and “the system preferably provides a convenient way for customers to not only visit favorite URLs, but also to invoke specific functionality that might otherwise incur many steps” (see 0060). [The Examiner notes that these are only two examples that illustrate the teachings of Bishop]. Thereby, one of ordinary skill in the art would have been motivated to combine Schmueli and Bishop for at least the reasons above.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1, 4-7, and 12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Schmueli et al. (US 20020147653, herein referred to as Schmueli).**

Regarding claim 1, Schmueli teaches:

- a) displaying at least one data entry field to a user (see at least: abstract, 0008, Fig. 1);*
- b) automatically displaying a user selectable option in response to user selection of the data entry field (see at least: 0008, claims 2 and 7); and*
- c) providing access to an electronic wallet application, for the transfer of data into the data entry field, in response to user selection of the option (see at least: 0049-0051, Fig. 6).*

Regarding claims 4-7, Schmueli teaches:

- (4) wherein the terminal is an Internet terminal (see at least: 0024, Fig. 1).*
- (5) wherein the terminal is a handheld mobile Internet terminal (see at least: 0003, 0027).*
- (6) wherein the remote destination is an electronic commerce server (see at least: abstract, Fig. 1).*

(7) *wherein steps a), b), and c) are provided by a browser application* (see at least: abstract, 0003, 0006, 0010).

Regarding claim 12, Schmueli teaches *wherein step c) involves the successful completion of a security routine before access to the wallet application is granted* (see at least: 0035-0038). The Examiner notes that the login/authentication to access the keylet control launch bar, which controls access to the wallet, is done prior to gaining access to the wallet.

Regarding claims 13-14, Schmueli teaches:

(13) *automatically transferring data from the electronic wallet application into the data entry field, in response to the user selection of the option* (see at least: 0008, claims 2 and 7). The examiner notes that the user selects field and the data to be populated therein and the system automatically transmits the data into the field (i.e. no 'drag and drop' or similar action).

(14) *providing for user selectable transfer of data from the electronic wallet application into the data entry field, in response to the user selection of the option* (see at least: 0008, claims 2 and 7). The Examiner notes that the data is "user selectable".

Regarding claim 16-17, the limitations set forth in claims 15-17 closely parallel the limitations of claim 1. Claims 15-17 are thereby rejected under the same rationale.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 2-3, 8-11, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmueli in view of Bishop et al. (US 20040243520, herein referred to as Bishop).**

Regarding claims 2 and 3, Schmueli teaches all of the above as noted and further teaches use of an electronic wallet (see at least: abstract, Fig. 6, 0049-0051). The Examiner notes that by definition, an electronic wallet is software, residing as a plug-in in the Web browser, that enables a cardholder to conduct online transactions, manage payment receipts, store digital certificates, and store a credit card number and shipping details [i.e. *personal data*] (see www.merchantseek.com/glossary.htm or www.vpsource.com/glossary.html). Schmueli, though expressing secure procedures to access content (see at least: 0035-0038), does not expressly disclose the wallet application including a *secure collection of personal data wherein at least some of the personal data is used for completing an electronic commerce transaction*. Bishop teaches the wallet application/server including a *secure collection of personal data wherein at least some of the personal data is used for completing an electronic commerce transaction* (see at least: abstract, 0008, 0036-0037, 0065). It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention of Schmueli to have included *secure collection of personal data wherein at least some of the personal data is used for completing an electronic commerce transaction* as taught by Bishop in order to provide enhanced reliability and confidence in online transactions (see at least: Bishop, abstract).

Regarding claim 8, Schmueli teaches all of the above and teaches a selectable option presented to the user (see at least: 0008). Schmueli, however, does not expressly teach the option to be a *selectable device or icon*. Bishop teaches the use of toolbars/buttons (i.e. *selectable devices*), and icons (see at least: abstract, 0015, 0054, 0057). It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention of Schmueli to have included the option to be a *selectable device or icon* as taught by Bishop in order to provide a transaction tool including a form fill component and an auto remember component for pre-filling forms with information previously provided by the user (see at least: Bishop, 0015). For examination purposes, the Examiner has interpreted a selectable device to include any device, icon, button, toolbar, or the like that has some imparted functionality.

Regarding claim 9, in regards to the placement of the icon presented on the display, claims that read on prior art except with regard to the positioning and arrangement of parts are held unpatentable if the shifting of those parts would not have modified the operation of the device [*In re Japikse*, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950)]. With respect to claim 9, Japikse is applicable because the differences in the claimed invention and the invention demonstrated by Schmueli in view of Bishop is merely in the arrangement of parts (i.e. the placement of the icon “adjacent” to the data entry field). More particularly, Schmueli in view of Bishop teaches displaying an icon on the screen of the user (see at least: Bishop, 0054-0057, 0078-0079, Fig. 8). Simply arranging the displayed elements (icon) in a different manner such as that taught by Schmueli in view of Bishop merely results in rearrangement of parts (i.e. the

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displayed elements). Though Schmueli in view of Bishop teaches the display of an icon on screen, Schmueli in view of Bishop does not teach the icon adjacent to the data fields. It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention of Schmueli in view of Bishop to have displayed an icon adjacent to the data entry fields as demonstrated by Japikse because the placement of the displayed elements on the display is merely a matter of design choice and does not patentably define the claims over the cited art (see *Japikse*). Additionally, applicant has not persuasively demonstrated the criticality of providing the disclosed arrangement versus the arrangement disclosed by Kang.

Regarding claim 10 and 11, Schmueli teaches all of the above and teaches providing a selectable option (see at least: 0008). Schmueli, however, does not *wherein step b) is conditional on the availability of the wallet and wherein step b) is conditional on whether the wallet application is enabled or disabled*. In Bishop, the system tray icon is displayed once the application has been initialized/enabled and is available (see at least: 0015, 0053, 0054, 0057, 0079, 0083). The Examiner notes that if the application of Bishop is not initialized (and thereby not enabled and available) the icon will not appear; therefor, the icon's display is *conditional* on whether the application has been initialized. It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention of Schmueli to have included *wherein step b) is conditional on the availability of the wallet and wherein step b) is conditional on whether the wallet application is enabled or disabled* as taught by Bishop in order to provide

a transaction tool including a form fill component and an auto remember component for pre-filling forms with information previously provided by the user (see at least: Bishop, 0015).

Regarding claim 18, Schmueli teaches all of the above as noted and teaches (a) *displaying at least one data entry field to a user* (see at least: abstract, 0008, Fig. 1) and (d) *providing access to the electronic wallet application, for the transfer of data into at least the data entry field, in response to user selection of the icon* (see at least: 0049-0051, Fig. 6). Schmueli however, does not teach (b) *automatically detecting whether a wallet application is enabled* and (c) *displaying an icon, for user selection, if a wallet application is enabled*. Bishop teaches (b) *automatically detecting whether a wallet application is enabled* (see at least: 0015, 0053-0057, 0078-0079, 0083) and (c) *displaying an icon, for user selection, if a wallet application is enabled* (see at least: 0054-0057, 0078-0079, Fig. 8). The Examiner notes the above arguments on page 3 of this paper. It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention of Schmueli to have included *automatically detecting whether a wallet application is enabled* and (c) *displaying an icon, for user selection, if a wallet application is enabled* as taught by Bishop in order to provide a transaction tool including a form fill component and an auto remember component for pre-filling forms with information previously provided by the user, providing an added convenience to the user (see at least: Bishop, 0015).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

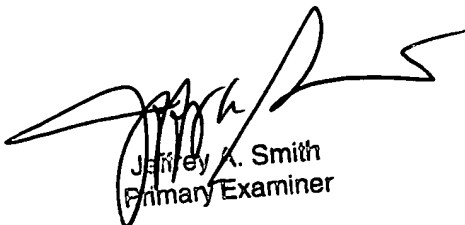
Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Allen whose telephone number is (571) 272-1443. The examiner can normally be reached on 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff A. Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

William J. Allen
Patent Examiner
September 7, 2006



Jeffrey A. Smith
Primary Examiner